

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 1st November, 1960 :—

Issue No.	No. and date	Issued by	Subject
131.	G.S.R. 1278, dated 27th October, 1960.	Ministry of Food and Agriculture.	Prohibiting the export of Potato tubers from West Bengal to any other State or Territory.
	G.S.R. 1279, dated 27th October, 1960.	Do.	Amendment to notification of late Department of Education, Health and Lands No. 320-35A, dated 20th July 1936.
132.	G.S.R. 1280, dated 31st October, 1960.	Lok Sabha Secretariat	The Members of Parliament (Travelling and Daily Allowances) (Amendment) Rules, 1960.
133.	G.S.R. 1281, dated 1st November, 1960.	Ministry of Finance	Exempting alumina when imported into India from certain duty of customs.
134	G.S.R. 1310, dated 18th November, 1960.	Ministry of Home Affairs	The Governor of Gujarat (Allowances and Privileges) Order, 1960.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

CABINET SECRETARIAT

New Delhi, the 5th November 1960

G.S.R. 1314.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments in the General Central Service (Class III Posts in the Industrial Statistics Wing, Central Statistical Organisation, Calcutta, Cabinet Secretariat) Recruitment Rules, 1959, issued with the notification of the Cabinet Secretariat No. G.S.R.-1, dated the 17th December, 1959, namely:—

1. These rules may be called the General Central Service (Class III posts in the Industrial Statistics Wing, Central Statistical Organisation, Calcutta Cabinet Secretariat) Recruitment Amendment Rules, 1960.
2. In the Schedule to the General Central Service (Class III Posts in the Industrial Statistics Wing, Central Statistical Organisation, Calcutta, Cabinet Secretariat) Recruitment Rules, 1959,—

- (1) against item No. 2—"Assistant" in column 1,—
 - (a) for the existing entry under column 6, the following entry shall be substituted, namely:—
"20—24 years".
 - (b) for the existing entries under column 10, the following entries shall be substituted, namely:—
 - (i) 50 per cent by promotion,
 - (ii) 50 per cent shall be filled by direct recruitment through a competitive test (*The number of chances which a candidate appearing at the competitive test can avail of shall be restricted to two but this restriction shall not apply to candidates belonging to Scheduled Castes/Tribes, displaced persons, or other special categories to whom concession in the matter of age limit is available*) or by nomination of the surplus qualified candidates from the Assistants' Grade Competitive Examination held by the Union Public Service Commission except in the case of vacancies of short duration (i.e., vacancies of a duration of three months or less) which may be filled by promotion".
- (2) against item No. 5—"Lower Division Clerk including Typist (Hindi)"—in Column 1,—
 - for the existing entry under column 6, the following entry shall be substituted, namely:—
"18—21 years".

[No. 2/6/60-Estt.]

M. V. NILAKANTA AYYAR, Under Secy.

MINISTRY OF LAW
(Department of Legal Affairs)

New Delhi, the 5th November 1960

G.S.R. 1315 (Contract/Amendment 32).—In exercise of the powers conferred by clause (1) of Article 299 of the Constitution, the President hereby directs that the following further amendments shall be made in the notification of the

Government of India in the Ministry of Law G.S.R. 1161, dated the 1st December, 1958 relating to the execution of contracts and assurances of property, namely:—

In the said notification, under Part III which relates to the Ministry of Defence, under Head B for the title and clause (i), the following shall be substituted, namely:—

“B. Contracts and other instruments relating to Services and Establishments under the control of Controller General of Defence Production and Chief Controller of Research and Development:—

(i) All contracts, deeds and other instruments for Research, Development and Inspection Establishments other than leases of houses, land and other immovable property;

by the Controller General of Defence Production, the Director of Technical Development and Production (Air), the Chief Controller of Research and Development, Directors, Chief Superintendents, Chief Inspectors and Inspectors under the administrative control of the Controller General of Defence Production or the Chief Controller of Research and Development, the Superintendent of Proof and Experiments or Assistant Inspectors of General Stores.”

[No. F. 17(1)/60-J.1

P. K. BOSE, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 2nd November 1960

G.S.R. 1316.—In pursuance of sub-rule (1), and the first proviso to sub-rule (2) of rule 4 of the Indian Police Service (Cadre) Rules, 1954, the Central Government hereby make the following amendments to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.

2. These amendments shall be deemed to have come into force with effect from 18th September, 1960.

Amendments

In the Schedule to the said Regulations, for the entries relating to 'DELHI AND HIMACHAL PRADESH', the following shall be substituted, namely:—

"DELHI AND HIMACHAL PRADESH

1. Senior Duty Posts

13

	Delhi	Himachal Pradesh
Deputy Inspector General of Police	I	I
Assistant Inspector General of Police (C.I.D.) & Headquarters	..	I
Superintendents of Police	I	4
Superintendent of Police, C.I.D. (S.B.)	I	..
Superintendent of Police, C.I.D. (Crime)	I	..
Superintendent of Police, Anti-corruption	I	..
Superintendent of Police, Security	I	..
Commandant, Delhi Armed Force	I	..
	7	6

2. Senior Posts for deputation to Central Government

6

19

3. Posts to be filled by promotion in accordance with rule 9 of the Indian Police Service (Recruitment) Rules, 1954

4

4. Posts to be filled by direct recruitment

15

5. Deputation Reserve @ 15% of 4 above

2

6. Leave Reserve @ 11% of 4 above	2
7. Junior Posts @ 20.60% of 4 above	3
8. Training Reserve @ 10.59% of 4 above	2

Direct Recruitment Posts	24
Promotion Posts	4
TOTAL AUTHORISED STRENGTH	28".

[No. 21/15/60-AIS(I).]

G.S.R. 1317.—In pursuance of sub-rule (2) of rule 4 of the Indian Administrative Service (Cadre) Rules, 1954, the Central Government in consultation with the State Government concerned have revised the strength and composition of the Indian Administrative Service cadre of Madras and hereby direct that in the Schedule to the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955:—

for the entries relating to 'MADRAS', the following shall be substituted, namely:—

"MADRAS

Senior posts under State Government	71
Chief Secretary to Government	1
First Member, Board of Revenue	1
Members, Board of Revenue	2
Second Secretary to Government	1
Secretaries to Government	6
Additional Secretaries to Government	2
Secretary, Board of Revenue	1
Additional Secretary, Board of Revenue	1
Secretary to the Commissioner for Commercial Taxes	1
Development Commissioner	1
Deputy Secretaries to Government	10
Collectors	12
Collector of Madras	1
Sub-Collectors, Under Secretaries to Government, Assistant Settlement Officers and District Revenue Officers	14
Inspector of Municipal Councils and Local Board	1
Commissioner of Labour	1
Director of Agriculture	1
Director of Industries & Commerce	1
Deputy Commissioner of Commercial Taxes	1
Controller of Stationery & Printing	1
Director of Government Transport	1
Director of Settlements	1
Settlement Officers	5
Director of Harijan Welfare	1
Director of Handlooms	1
Commissioner of Agricultural Income Tax	1
Registrar, Cooperative Societies	1

	71

2. Senior Posts under Central Government	28

	99
3. Posts to be filled by promotion and selection in accordance with rule 8 of the I.A.S. (Recruitment) Rules, 1954	24
4. Posts to be filled by direct recruitment	75
5. Deputation Reserve @ 15% of 4 above	11
6. Leave Reserve @ 11% of 4 above	8
7. Junior Posts @ 20.60% of 4 above	15

8. Training Reserve @10.59% of 4 above	8
Direct Recruitment Posts	117
Promotion Posts	24
TOTAL AUTHORISED STRENGTH	141".

[No. 21/17/60-AIS(I).]

New Delhi, the 4th November 1960

G.S.R. 1318.—In pursuance of sub-rule (1), and the first proviso to sub-rule (2) of rule 4 of the I.P.S. (Cadre) Rules, 1954, the Central Government, in consultation with the Government of Punjab, hereby make the following further amendments in the I.P.S. (Fixation of Cadre Strength) Regulations, 1955.

Amendments

In the Schedule to the said Regulations, under 'PUNJAB' for the entries

- "(i) Officer-in-Charge, Special Inquiry Agency, and
- (ii) Superintendent of Police, Anti-Corruption Department;"

the following entries shall be substituted:—

- "(i) Superintendent of Police (North) Vigilance; and
- (ii) Superintendent of Police (South) Vigilance."

[No. 21/47/60-AIS(I).]

B. N. TANDON, Dy. Secy.

New Delhi, the 5th November 1960

G.S.R. 1319.—The following draft of certain rules to amend the Part C States Prize Competitions Rules, 1956, in their application to the Union territories of Delhi, Himachal Pradesh, Manipur, Tripura and the Andaman and Nicobar Islands, which the Central Government propose to make in exercise of the powers conferred by section 20 of the Prize Competitions Act, 1955 (42 of 1955), is hereby published, as required by sub-section (1) of the said section.

Notice is hereby given that the draft rules will be taken into consideration on or after the 15th December, 1960 and that any objection or suggestion which may be received from any person with respect thereto before that date will be considered by the Central Government:

DRAFT RULES

1. These rules may be called the Part C States Prize Competitions (Amendment) Rules, 1960.
2. In the Part C States Prize Competitions Rules, 1956, hereinafter referred to as the said rules, in rule 1 for the words and letters "Part C States", the words "Union territories" shall be substituted.
3. In rule 4 of the said rules, in sub-rule (2), for the word "State", the words "Union territory" shall be substituted.
4. In rule 7 of the said rules, for the words "the State Government", the words "the Central Government" shall be substituted.
5. In rule 16 of the said rules, in sub-rule (2), for the words "the State Government", the words "the Central Government" shall be substituted.

[No. 20/17/59-P.II(P.IV).]

R. K. SHASTRI, Under Secy.

New Delhi, the 8th November 1960

G.S.R. 1320.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Himachal Pradesh the Patiala Agricultural Produce Markets Act, 2004 BK. (Act No. 14 of 2004 BK.), as at present in force in the State of Punjab, subject to the following modifications, namely:—

MODIFICATIONS

A. General

1. Whenever an expression mentioned in column 1 of the Table below occurs in the Act, then, unless that expression is by this notification directed to be otherwise modified, or to stand unmodified, or to be omitted, there shall be substituted therefor the expression set opposite to it in column 2 of the said Table and there shall also be made in any sentence in which that expression occurs such consequential amendments as the rules of grammar may require.

TABLE

1	2
Statement Government/ Government of the State	Lieutenant Governor.
Gazette, Official Gazette of the State	Himachal Pradesh Gazette.
State Marketing Board	Himachal Pradesh, Marketing Board.

B. Special

2. For sub-section (2) of section 1, the following sub-sections shall be substituted, namely:—

“(2) It extends to the whole of the Union territory of Himachal Pradesh.

(3) It shall come into force on such date as the Lieutenant Governor, may by notification in the Himachal Pradesh Gazette, appoint.”

3. In section 2,—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) “Agricultural produce” means harvested potato, ginger, apple, wheat, barley, rice, maize, sugarcane (gur and shakkar), chillies and pulses or any other crop which may hereafter be declared by Lieutenant Governor by notification in the Himachal Pradesh Gazette to be agricultural produce for the purpose of this Act.”

(ii) in clause (c), for the words “Commissioner for Agriculture”, the words “Director of Agriculture” shall be substituted.

(iii) after clause (c), the following clause shall be inserted, namely:—

‘(cc) “Lieutenant Governor” means the Lieutenant Governor of Himachal Pradesh;”

(iv) after clause (d), the following clause shall be inserted, namely:—

“(dd) “Notification” means notification in the Himachal Pradesh Gazette;”

4. In section 3—

(i) in sub-section (1), for the words “in the State” occurring at the end, the words “in the Union territory of Himachal Pradesh” shall be substituted; and

(ii) in sub-section (7), for the words “Schedule of powers on a 1st Class”, the words “Financial Rules of the Central Government on the” shall be substituted.

5. In sub-section (2) of section 4, for the words “of the State”, the words “of the Government” shall be substituted.

6. For the first proviso to sub-section (1) of section 6, the following proviso shall be substituted, namely.—

“Provided that if any person carrying on any business of the nature specified in sub-section (2) of section 4 in a notified market area fails to apply for a licence on or before such date as the Himachal Pradesh Marketing Board may by notification appoint in respect of that area, the licensing authority may refuse to grant him a license until after the expiry of such period not exceeding three years as it may think fit”.

7. In section 8.—

(i) In sub-section (2), for the words “the salaried servants of the State”, the words “the salaried servants of the Government” shall be substituted;

(ii) In sub-section (4), for the words “the District Nazims”, the words “the Deputy Commissioners” shall be substituted;

(iii) In sub-section (5), for the words “in the State”, the words “in the Union territory of Himachal Pradesh” shall be substituted.

8. In clause (a) of sub-section (2) of section 20, for the words “also pay to the State” and “employed by the State” the words “also pay to the Government” and “employed by the Government” respectively shall be substituted.

9. In sub-section (2) of section 24, for the word “State”, the word “Government” shall be substituted.

10. In section 25.—

(i) in clause (b) of sub-section (2), for the word “State”, the word “Government” shall be substituted;

(ii) in clause (a) of sub-section (3), for the words “vesting in the State”, the words “vesting in the Government” shall be substituted.

(iii) in sub-section (4), for the words “vest in the State”, the words “vest in the Government” shall be substituted.

11. In clause (a) of section 25A, for the word “State”, the words “Lieutenant Governor” shall be substituted.

12. In sub-section (3) of section 29, for the words “State revenues” the words “Government revenues” shall be substituted.

13. In section 31, for the word “State”, the word “Government” shall be substituted.

ANNEXURE

The Patiala Agricultural Produce Markets Act, 2004 BK (Act No. XIV of 2004 BK), as extended to the Union territory of Himachal Pradesh.

An Act to provide for the better regulation of the purchase and sale of agricultural produce and the establishment of markets for agricultural produce in the State.

Preamble.—Whereas it is expedient to provide for the better regulation of the purchase and sale of agricultural produce in the State and for that purpose to establish markets and make rules for their proper administration, in the manner hereinafter appearing.

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Patiala Agricultural Produce Markets Act, 2004.

(2) It extends to the whole of Union territory of Himachal Pradesh.

(3) It shall come into force on such date as the Lieutenant Governor, may by notification in the Himachal Pradesh Gazette, appoint.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (a) "Agricultural produce" means harvested potato, ginger, apple, wheat, barley, rice, maize, sugarcane (gur and shakkar), chillies and pulses or any other crop which may hereafter be declared by the Lieutenant Governor by notification in the Himachal Pradesh Gazette to be agricultural produce for the purpose of this Act.
- (b) "Dealer" means any person who within the notified market area sets up, establishes or continues or allows to be continued any place for the purchase or sale of the agricultural produce notified under sub-section (1) of section 4 or purchases or sells, such agricultural produce.
- (c) "Grower" means a person who grows agricultural produce personally through tenants or otherwise but shall not include a grower who works as a dealer or a broker or who is a partner of a firm of dealers or brokers or is otherwise engaged in the business of disposal or storage of agricultural produce. If a question arises as to whether any person is a grower or not for the purposes of this Act, the decision of the Director of Agriculture shall be final.
- (cc) "Lieutenant Governor" means the Lieutenant Governor of Himachal Pradesh.
- (d) "Market" means a building, block of buildings, enclosure or other area which may be so notified in accordance with the rules made under this Act.
- (dd) "Notification" means notification in the Himachal Pradesh Gazette;
- (e) "Notified market area" means any area notified under section 4, under this Act.
- (f) "Prescribed" means prescribed by rules or bye-laws made, under this Act.
- (g) "Trade allowance" includes such allowances as have the sanction of custom in the notified area concerned.

3. Himachal Pradesh Marketing Board.—(1) The Lieutenant Governor may, for exercising the powers and functions conferred on and assigned to the Himachal Pradesh Marketing Board under this Act, establish and constitute a Himachal Pradesh Marketing Board consisting of not less than ten and not more than twelve persons out of whom not more than two-thirds shall be non-officials to be nominated by the Lieutenant Governor in the proportion of three to two from among the growers and dealers respectively in the Union territory of Himachal Pradesh.

(2) The Director of Agriculture and the Marketing Officer shall respectively be the Chairman and the Secretary of the Board.

(3) The term of office of the non-official members of the Board shall be three years.

(4) The Lieutenant Governor may, remove any non-official member of the Board, who is, in his opinion, unfit to act as a member or is remiss in the discharge of his duties or whose continuance as a member of the Board is considered to be prejudicial to its interest.

(5) Four members shall constitute a quorum at a meeting of the Board. All questions that may come up before a meeting of the Board shall be determined by a majority of votes of the members present and voting, and in case of equality of votes, the Chairman may exercise a casting vote.

(6) An estimate of the annual income and expenditure of the Board for the ensuing year shall be prepared by the Board and submitted for sanction to the Lieutenant Governor not later than the first week of March each year. On the sanction of the Budget by the Lieutenant Governor the Himachal Pradesh Marketing Board shall have power to operate upon it.

(7) The Chairman of the Board and its Secretary shall have the same powers as are respectively conferred under the Financial Rules of the Central Government on the Head of Department and a Head of an Office.

(8) The Lieutenant Governor shall exercise superintendence and control over the Himachal Pradesh Marketing Board and may call for such information

as he may deem necessary and, in the event of his being convinced that the Himachal Pradesh Marketing Board is not functioning properly, he may suspend the Board and, till such time as a new Board is constituted, make such arrangement for the exercise of the functions of the Board as he may think fit.

(9) The Himachal Pradesh Marketing Board shall exercise superintendence and control over all Market Committees established and constituted under this Act.

(10) The Himachal Pradesh Marketing Board may, on administrative grounds, transfer employees of one Market Committee to another and of a Market Committee to the Himachal Pradesh Marketing Board and *vice versa*.

(11) The Himachal Pradesh Marketing Board may delegate any of its powers to the Chairman or any one or more members of the Board.

(12) The Himachal Pradesh Marketing Board or the Director of Agriculture or the Marketing Officer shall have the power to call for any information or return from a Market Committee or a dealer and shall also have the power to inspect the accounts of a Market Committee or a dealer and, in case of a dealer if any irregularity comes to its or his notice, shall have the power to suspend or cancel his license.

(13) The Himachal Pradesh Marketing Board may, by notification, declare its intention of exercising control over the purchase and sale of such agricultural produce and in such area as may be specified in the notification. Such notification shall state that any objections or suggestions which may be received by the Himachal Pradesh Marketing Board within a period to be specified in the notification, will be considered:

Provided that such period shall not be less than one month.

4. Declaration of notified area.—(1) After the expiry of the period specified in the notification under section 3 and after considering such objections and suggestions as may be received before the expiry of the specified period, the Himachal Pradesh Marketing Board may, by notification and in any other manner that may be prescribed declare the area notified under section 3 or any portion thereof to be notified market area for the purposes of this Act in respect of the agricultural produce notified under section 3 or any part thereof.

(2) After the date of issue of such notification and from such later date as may be specified therein, no person unless exempted by rules framed under this Act, shall, either for himself or on behalf of another person or of the Government within the notified market area set up, establish or continue or allow to be set up, established or continued any place for the purchase and sale of the agricultural produce so notified, or purchase or sell such agricultural produce except under a license granted in accordance with the provisions of this Act, the rules and bye-laws made thereunder and the conditions specified in the license:

Provided that a license shall not be required by a grower who sells himself or through a bonafide agent his own agricultural produce or the agricultural produce of his tenants on their behalf or by a person who purchases any agricultural produce for his private use.

5. Authority to whom applications for grant of licenses are to be made.—The Himachal Pradesh Marketing Board shall by rules made under this Act specify the authority to whom an application may be made for the grant of a license.

6. Applications for licenses, fees to be paid and cancellation or suspension of license.—(1) Any person may apply to the authority specified for a license which shall be granted for such period, in such form, on such conditions and on payment of such fees not exceeding Rs. 10/- as may be prescribed:

Provided that if any person carrying on any business of the nature specified in sub-section (2) of section 4 in a notified market area fails to apply for a license on or before such date as the Himachal Pradesh Marketing Board may by notification appoint in respect of that area, the licensing authority may refuse to grant him a license until after the expiry of such period not exceeding three years as it may think fit:

Provided further that the Himachal Pradesh Marketing Board may in its discretion issue a license to such person and may before issuing such license impose such penalty not exceeding two thousand rupees as they may think fit:

Provided further that the aforesaid provisos shall not come into force until notified by the Himachal Pradesh Marketing Board in the Himachal Pradesh Gazette.

(2) The Himachal Pradesh Marketing Board or an officer not below the rank of a Gazetted officer specifically empowered in this behalf may on being satisfied that there has been a breach of any of the conditions specified in a license by an order in writing, cancel or suspend such license and may also direct that such license shall not be renewed for such period not exceeding five months for a first breach and not exceeding nine months for a second breach as may be specified in that order provided that no such order shall be passed without giving the licensee an opportunity to show cause why such an order should not be passed.

7. Establishment of market Committee.—The Himachal Pradesh Marketing Board shall by notification establish a Market Committee for every notified market area and shall specify its headquarters.

8. Constitution of the Committee.—(1) A Market Committee shall consist of nine or sixteen members as the Himachal Pradesh Marketing Board may in each case determine.

(2) Of these members one may be appointed by the Himachal Pradesh Marketing Board from amongst the salaried servants of the Government by virtue of his office.

(3) The remaining members shall be appointed by the Himachal Pradesh Marketing Board out of a panel of names equal to twice the number of vacancies to be filled, in the manner provided hereunder, that is to say:—

(a) if the Committee is to consist of nine members, there shall be appointed—

- (i) five members from growers of the district; and
- (ii) three members from licensed dealers;

(b) if the Committee is to consist of sixteen members, there shall be appointed—

- (i) nine members from growers of the district; and
- (ii) six members from licensed dealers.

(4) The panel of the names will be given by the Deputy Commissioners concerned.

(5) Whenever any member dies, resigns, ceases to reside in the Union territory of Himachal Pradesh or becomes incapable of acting as a member of the Committee, the Himachal Pradesh Marketing Board in its discretion may, on the submission of another panel, or in default of such panel, appoint another person to be a member in his stead.

(6) No act done by the Committee shall be called into question on the ground merely of the existence of any vacancy in or any defect in the constitution of the Committee.

9. Duties of the Committee.—(1) It shall be the duty of the Market Committee to enforce the provisions of this Act and the rules and bye-laws made thereunder in the notified market area and, when so required by the Himachal Pradesh Marketing Board, to establish a market therein providing such facilities for persons visiting it in connection with the purchase, sale, storage, weighment, pressing and processing of agricultural produce concerned as the Himachal Pradesh Marketing Board may from time to time direct.

(2) Subject to such rules as the Lieutenant Governor may make in this behalf it shall be the duty of Market Committee to issue licenses to brokers, weighmen, measurers, surveyors and warehousemen for carrying on their occupation in that notified market area in respect of agricultural produce as defined in this Act and to renew, suspend or cancel such licenses.

(3) No broker, weighman, measurer, surveyor or warehouseman shall, unless duly authorised by license, carry on his occupation in a notified market area in respect of agricultural produce as defined in this Act.

10 Period of office of members.—Subject to the provisions of section 13, every member shall hold office for a period of three years from the date of his appointment, and if when such period expires no person has been appointed to succeed him such member shall, unless the Himachal Pradesh Marketing Board otherwise directs, continue to hold office until his successor is appointed.

11 Removal of Members—The Himachal Pradesh Marketing Board may at any time during the period of his office remove by notification any member if such member has, in its opinion, been guilty of misconduct or neglect of duty, provided that before the Himachal Pradesh Marketing Board notifies the removal of a member under this section the reasons for his proposed removal shall be communicated to the member concerned and he shall be given an opportunity of tendering an explanation in writing.

12 Election of Chairman and Vice-Chairman—Every Market Committee shall elect from among its members a Chairman and a Vice Chairman.

13 Filling of vacancies—If through death, resignation, retirement, transfer or removal in accordance with the provisions of section 11 any vacancy occurs, the Himachal Pradesh Marketing Board may appoint a member to fill such vacancy in accordance with the provisions of section 8.

Provided that the term of office of the member so appointed shall expire on the same date as the term of office of the vacating member would have expired had the latter held office for the full period allowed under section 10, unless there be delay in appointing a new member to succeed the member first mentioned above, in which case it shall expire on the date on which his successor is appointed by the Himachal Pradesh Marketing Board.

14 Incorporation of Committee.—Every Market Committee shall be a body corporate by such name as the Himachal Pradesh Marketing Board may specify in the notification establishing it shall have perpetual succession and a common seal, may sue and be sued in its corporate name and shall, subject to the provisions of section 24, be competent to acquire and hold property both movable and immovable to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it and to contract and to do all other things necessary for the purposes for which it is established.

Provided that no Committee shall permanently transfer any immovable property except in pursuance of a resolution passed at a meeting specially convened for the purpose by a majority of not less than three-fourths of the members of the Committee.

15 Sub-Committee and Joint Committees and delegation of powers.—The Market Committee may appoint two or more of its members to be a sub-Committee for the conduct of any work or to report on any matter, and may delegate to any two or more of its members and withdraw from them such of its powers or duties and in such manner as may be prescribed.

16 Appointments and salaries of officers and servants of Market Committee.—
(1) With the previous approval of the Chairman of the Himachal Pradesh Marketing Board a Market Committee may employ such officers and servants as may be necessary and proper for the management of the Market Committee and may assign to such officers and servants such duties as it thinks fit and shall have power to control and punish them.

(2) Every Officer or servant against whom an order of punishment has been made by a Market Committee shall be entitled to appeal to the Himachal Pradesh Marketing Board within a period of thirty days from the date of the order appealed against.

Provided that the appellate authority may for sufficient cause entertain the appeal if made after the expiry of the aforesaid period.

(3) In computing the period of thirty days the period spent for obtaining a copy of the order appealed against shall be excluded and a copy of the order shall be supplied to the person concerned free of cost.

(4) Any person aggrieved by the order of the appellate authority may further appeal to the Lieutenant Governor within a period of thirty days of the date of the appellate order, and the provisions of the proviso to sub-section (2), and

sub-section (3), shall apply to such further appeal in the same manner as they apply to an appeal under sub-section (2).

17. Persons who are to be deemed public servants within the meaning of section 21 of Indian Penal Code.—Every member and servant of the Himachal Pradesh Marketing Board and of a Market Committee shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Act XLV of 1860).

18. Execution of contracts.—(1) Every contract entered into by the Market Committee shall be in writing and shall be signed on behalf of the Market Committee by the Chairman or, if, for any reason he is unable to act by the Vice-Chairman and two other members of the Committee and shall be sealed with the common seal of the Committee.

(2) No contract other than a contract executed as provided in sub-section (1) shall be binding on a Market Committee.

19. Levy of fees.—The Market Committee may, subject to such rules as may be made in this behalf, levy fee on the agricultural produce bought or sold by licensees in the notified area and the Lieutenant Governor may make rules specifying the maximum rates of the said fees:

Provided that—

- (a) no fee shall be leviable in respect of any transactions in which delivery of the agricultural produce bought or sold is not actually made; and
- (b) a fee shall be leviable only on the parties to a transaction in which delivery is actually made.

20. Market Committees Fund.—(1) All moneys received by a Market Committee shall be paid into a fund to be called the "Market Committee Fund". All expenditure incurred by the Market Committee under or for the purposes of this Act shall be defrayed out of the said fund, and any surplus remaining after such expenditure has been met shall be invested in such manner as may be prescribed by rules.

(2) (a) Every Market Committee shall, out of its fund, pay to the Himachal Pradesh Marketing Board 20 per cent of the moneys received by it on account of Himachal Pradesh Marketing Board office expenses and such other expenses incurred by it in the interest of the Marketing Committees generally and also pay to the Government the cost of any special or additional staff employed by the Government in consultation with the Committee for giving effect to the provisions of this Act in the notified market area.

(b) The Lieutenant Governor shall determine the cost of such special or additional staff and shall, where the staff is employed for the purposes of more Market Committees than one, apportion such cost among the Committees concerned in such manner as he thinks fit. His decision determining the amount payable by any Market Committee shall be final.

20A. Himachal Pradesh Marketing Board Fund.—All receipts of the Board shall be credited into a fund to be called the Himachal Pradesh Marketing Board Fund. All expenditure incurred by the Board shall be defrayed out of the said fund which shall be jointly operated upon by the Chairman and the Secretary. This fund shall be utilised for such purposes as may be prescribed by the Lieutenant Governor.

21. Purposes for which funds may be expended.—Subject to the provisions of section 20 the Market Committee Fund shall be expended for the following purposes only—

- (i) the acquisition of a site or sites for the market;
- (ii) the maintenance and improvement of the market;
- (iii) the construction and repair of buildings which are necessary for the purposes of such market and for the health, convenience and safety of the persons using it;
- (iv) the provision and maintenance of standard weights and measures;
- (v) the pay, leave allowances, gratuities, compassionate allowances, and contributions towards leave allowances, or provident fund of the persons employed by the Market Committee;

- (vi) the payment of interest or loans that may be raised for purposes of the market and the provision of a sinking fund in respect of such loans;
- (vii) the collection and dissemination of information regarding all matters relating to crop statistics and marketing in respect of the agricultural produce concerned and propaganda in favour of agricultural improvement and thrift;
- (viii) providing comforts and facilities, such as shelter, shade, parking accommodation and water for the persons, draught cattle and pack animals coming to the market, and similar other purposes;
- (ix) the expenses incurred in auditing the accounts of the Committee;
- (x) with the previous sanction of the Himachal Pradesh Marketing Board any other purpose which is calculated to promote the general interest of the market; and
- (xi) for the payment of travelling allowance to the members of the Market Committee as prescribed.

22. No trade allowance permissible except as prescribed by rules or bye-laws.— No trade allowance, other than allowance prescribed by rules or bye-laws made under this Act, shall be made or received in a notified market area by any person in any transaction in respect of the agricultural produce concerned and no Civil Court shall, in any suit or proceeding arising out of any such transaction, recognise any trade allowance not so prescribed.

23. Bar of Suits in absence of notice.—(1) No suit shall be instituted against any Market Committee or any member, or employee thereof or any person acting under the direction of any such Committee, member or employee for anything done or purporting to be done under this Act, until the expiration of three months next after a notice in writing, stating the cause of action the name and place of abode of the intending plaintiff and the relief which he claims, has been, in the case of a Committee, delivered or left at its office, and in the case of any such member, employee or person as aforesaid, delivered to him or left at his office or usual place of abode, and the plaint shall contain a statement that such notice has been so delivered, or left.

(2) Every such suit shall be dismissed unless it is instituted within six months from the date of the accrual of the cause of action.

24. Power to borrow.—(1) The Market Committee may, with the previous sanction of the Himachal Pradesh Marketing Board raise the money required for carrying on the purposes for which it is established on the security of any property vested in and belonging to the Market Committee and of any fees leviable by the Market Committee under this Act.

(2) The Market Committee may, for the purpose of meeting the initial expenditure on lands, buildings and equipment required for establishing the market, obtain a loan from the Government on such conditions and subject to such rules as may be prescribed.

25. Supersession of Market Committee.—(1) If, in the opinion of the Himachal Pradesh Marketing Board a Market Committee is incompetent to perform or persistently makes default in performing the duties imposed on it by or under this Act, or abuses its powers, the Himachal Pradesh Marketing Board may, by notification, supersede such Committee;

Provided that before issuing a notification under this sub-section the Himachal Pradesh Marketing Board shall give a reasonable opportunity to the Market Committee for showing cause against the proposed supersession and shall consider the explanations and objections, if any, of the Market Committee.

(2) Upon the publication of the notification under sub-section (1) superseding a Market Committee, the following consequences shall ensue:—

- (a) all the members including Chairman and Vice-Chairman of the Market Committee shall, as from the date of such publication, be deemed to have ceased to be members of the Committee;
- (b) all assets of the Committee shall vest in the Government and it shall be liable for all the legal liabilities of the Committee subsisting at the date of its supersession upto the limit of the said assets;

(c) the Himachal Pradesh Marketing Board may at its discretion, by order constitute either a new Committee as provided under section 7 or such other authority for the carrying out of the functions of the Committee as the Himachal Pradesh Marketing Board may deem fit.

(3) (a) When the Himachal Pradesh Marketing Board has made an order under clause (c) of sub-section (2) the assets and liabilities defined in sub-section (2)(b) vesting in the Government at the date of such order shall be deemed to have been transferred on the date of such order to the new Committee or authority constituted as aforesaid.

(b) (i) Where the Himachal Pradesh Marketing Board by order under paragraph (c) of sub-section (2) of section 25 has appointed an authority other than a new Committee for the carrying out of the functions of the superseded Committee, the Himachal Pradesh Marketing Board may by notification determine the period for which such an authority shall act. Such period shall not be longer than three years:

Provided that term of office of such authority may be terminated earlier if the Himachal Pradesh Marketing Board for any reason considers it necessary.

(ii) At the expiry of the term of office of such authority, a new Committee shall be constituted.

(iii) Upon such an order being made the assets and liabilities vesting in the authority thereby superseded, shall be deemed to have been transferred by such order to the new Committee.

(4) Whenever the assets of a Committee vest in the Government and no new Committee or authority is appointed in its place the Himachal Pradesh Marketing Board shall employ the balance of the assets remaining after the discharge of the subsisting legal liabilities of the said Committee for any object of public utility in the area specified in the notification issued under section 3.

25. A. Emergency powers.—If at any time the Lieutenant Governor is satisfied that a situation has arisen in which the purposes of this Act, cannot be carried out in accordance with the provisions thereof, he may by notification—

(a) declare that the functions of the Market Committee shall, to such extent as may be specified in the notification, be exercised by the Lieutenant Governor or such person or persons as the Lieutenant Governor may direct.

(b) assume to himself all or any of the powers vested in or exercisable by any Market Committee; and such notification may contain such incidental and consequential provisions as may appear to the Lieutenant Governor to be necessary or desirable for giving effect to the objects of the notification.

26. Penalties.—(1) Whoever contravenes the provisions of section 4 shall, on conviction, be punishable with fine which may extend to five hundred rupees, and in the case of a continuing contravention, with a fine which in addition to such fine as aforesaid, may extend to thirty rupees for every day after the date of first conviction during which the contravention is continued.

(2) Whoever contravenes the provisions of sub-section (3) of section 9, shall, on conviction, be punishable with fine which may extend to fifty rupees, and, in the case of a continuing contravention with a fine which, in addition to such fine as aforesaid, may extend to two rupees for every day after the date of first conviction during which the contravention is continued.

(3) Whoever contravenes the provisions of section 22 shall on conviction be punishable with fine which may extend to one hundred rupees.

27. Power to make rules.—(1) The Lieutenant Governor may, either generally or specially for any notified market area or areas, make rules consistent with this Act for carrying out all or any of the purposes thereof.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for—

(i) the appointment of members of a Market Committee;

(ii) the powers to be exercised and the duties to be performed by the Market Committee;

- (iii) the election of the Chairman and Vice-Chairman of such Committee, their powers and term of office;
- (iv) the filling of casual vacancies in the office of members or in the office of Chairman or Vice-Chairman of the Market Committee;
- (v) the time, place and manner in which a contract between buyer and seller is to be entered into and the money is to be paid to the seller;
- (vi) generally, for the guidance of the Market Committee;
- (vii) management of the market, maximum fees which may be levied by the Himachal Pradesh Marketing Board in respect of the agricultural Produce bought or sold by licenses in any notified market area, and the recovery and disposal of such fees;
- (viii) the issue by a Market Committee of licenses to brokers, weighmen, measurers, surveyors and warehousemen, the form in which, and the conditions under which, such licenses shall be issued or renewed, and the fees, if any, to be charged therefor;
- (ix) the place or places at which the agricultural produce shall be weighed, the kind and description of the scales, weights and measures which along may be used in transactions in agricultural produce in a notified market area;
- (x) the inspection, verification, regulation, correction and confiscation of scales, weights and measures in use in a notified market area;
- (xi) the trade allowances which may be made or received by any person in any transaction in an agricultural produce in a notified market area;
- (xii) the provision of facilities for the settlement by arbitration or otherwise of any dispute between a buyer and a seller of agricultural produce or their agents including disputes regarding the quality or weight of the article, the price or rate to be paid, allowances for wrappings, dirt, or impurities or deductions for any cause.
- (xiii) the prohibition of brokers from acting in the same transaction on behalf of both the buyer and the seller of agricultural produce;
- (xiv) the provision of accommodation for storing any agricultural produce brought into the market;
- (xv) the preparation of plans and estimates for works proposed to be constructed partly or wholly at the expense of the Market Committee, and the grant of sanction to such plans and estimates;
- (xvi) the form on which the accounts of a Market Committee shall be kept, the audit and publication of such accounts, and the charges, if any, to be made for such audit;
- (xvi-a) the management and regulation of Provident Funds which may be established by Market Committee for the benefit of its employees;
- (xvii) the preparation and submission for sanction of an annual budget and the reports and returns to be furnished by a Market Committee;
- (xviii) the investment and disposal of the surplus funds of a Market Committee;
- (xix) the manner in which auctions of agricultural produce shall be conducted and bids made and accepted in any market;
- (xx) determining the scale of fees payable for the issue or renewal of licenses and for prescribing the form of a license and the conditions under which a license shall be issued;
- (xxi) fixing the maximum annual fees which may be levied by the Market Committee in respect of licenses granted to traders under section 4 and on the agricultural produce bought or sold by them in the notified area and the recovery of such fees;
- (xxii) exemption of persons or classes of persons from the obligation of obtaining licenses under section 4;
- (xxiii) specifying the authority to which applications for obtaining licenses shall be made;
- (xxiv) the realisation or disposal of fees recoverable under the Act or under any rules or bye-laws made under this Act;
- (xxv) the travelling expenses that may be paid to the members of Market Committee;

- (xxvi) the settlement of any question as to whether any person is a grower or not;
- (xxvii) the appointment of members of a Marketing Committee;
- (xxviii) the payment to the employees of the Himachal Pradesh Marketing Board and Market Committees of leave allowance, gratuities, or compassionate allowance and contribution to any provident fund which may be established for the benefit of such employees;
- (xxix) the penalties to be imposed upon the employees of the Himachal Pradesh Marketing Board and Market Committees, including the manner of imposing such penalties and the right of appeal against such penalties;
- (xxx) nature and status of the servants of the Himachal Pradesh Marketing Board and Market Committees.

(3) Any rule made under this section may provide that any contravention thereof or of any of the conditions of the license issued or renewed thereunder shall be punishable with fine which may extend to five hundred rupees.

28. Bye-laws.—(1) Subject to any rules made by the Lieutenant Governor under section 27, the Himachal Pradesh Marketing Board may, in respect of the notified market area, make bye-laws for—

- (i) the regulation of business;
- (ii) the conditions of trading;
- (iii) the appointment and punishment of its employees and the employees of the market Committees;
- (iv) the payment of salaries, gratuities, and leave allowance to such employees; and
- (v) the delegation of power, duties, and functions of the Sub-Committee, if any, provided by section 15, and may provide that contravention thereof shall be punishable on conviction, by a competent Magistrate, with a fine which may extend to fifty rupees.

(2) No bye-law shall take effect until it has been published for information and notified in the Himachal Pradesh Gazette.

29. Trial of offences.—(1) No offence made punishable by this Act or any rule or bye-law made thereunder shall be tried by a court inferior to that of a Magistrate of the first class.

(2) Prosecutions under this Act may be instituted by any person duly authorised by a resolution of the Market Committee in this behalf.

(3) All fines received from an offender shall be credited to the Government revenues and grant equivalent to such fines shall be paid to the Market Committee.

30. Appeals.—(1) In all cases in which power under section 6 has been exercised by a Gazetted Officer specially empowered in this behalf an appeal shall lie to the Himachal Pradesh Marketing Board in the manner prescribed.

(2) Any person objecting to the order passed by the Himachal Pradesh Marketing Board may appeal to the Lieutenant Governor, whose decision in the matter shall be final.

31. Recovery of sums due to Government from Market Committee.—All sums due from a Market Committee to the Government may be recovered in the same manner as arrears of land revenue.

(No. F.4/2/59-Judl. II)
UTL. 27

K. R. PRABHU, Dy. Secy.

MINISTRY OF FINANCE
(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 12th November 1960

G.S.R. 1321.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), as in force in India and as applied to the

State of Pondicherry, the Central Government hereby makes the following further amendments in the Central Excise Rules, 1944, namely—

1. These rules may be called the Central Excise (Amendment) Rules, 1960.
2. In the Central Excise Rules, 1944, in rule 92A for sub-rule (3), the following shall be substituted, namely—
 - (3) If, at any time during such period, the manufacturer fails to avail himself of the special provisions contained in this section, he shall, unless the Collector is satisfied that such failure is for justifiable reasons, be precluded from availing himself of such provisions for a period not exceeding 12 months from the date of such failure.
 - (4) If the manufacturer desires to avail himself of the special provisions contained in this section on the expiry of the period for which his application was granted, he shall before such expiry make an application to the Collector under sub-rule (1); and on his failure to do so, he shall, unless the Collector is satisfied that such failure is for justifiable reasons, be precluded from availing himself of such provisions for a period not exceeding 12 months from the date of such expiry."

[No. 144/60/F. No. 44/30/60-CX.IV.]

L. M. KAUL, Dy. Secy.

(Department of Revenue)

CUSTOMS & CENTRAL EXCISE

New Delhi, the 12th November 1960

G.S.R. 1322.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1960.
2. In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under item No. 30 for the existing description "Tea chests made of 3-ply plywood, including fittings therefor shipped in C.K.D. condition" the following shall be substituted, namely:—

"Plywood panels (3-Ply) and fittings of tea chests."

[No. 118/F. No. 34/238/60-Cus. IV.]

G.S.R. 1323.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1960.
2. (i) In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under item No. 4(G) after sub-item No. (27) the following shall be inserted, namely:—

"27-A. Spring Steel Bars".

(ii) In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under item No. 4(G) for sub-items 26, 28-A,

26-B, 26-C, 26-D, 26-E, 26-F and 26-G the following shall be substituted, namely:—

“26. Railway track materials, namely the following:—

- (i) Bearing Plates.
- (ii) Cotters.
- (iii) Fish plates (Splice bar).
- (iv) Mechanical Signalling & Interlocking items such as Cranks, Compensators Point Rodding (Solid and tubular) and Switch Levers.
- (v) Junction Fish plates.
- (vi) Rails.
- (vii) Sleeper Clamps.
- (viii) Spring Steel loose Jaws for Steel Sleepers.
- (ix) Steel Track and Crossing Sleepers.
- (x) Points and Crossings.
- (xi) Steel Sleepers.
- (xii) Steel Clips type 'U' for railway track.
- (xiii) Two way steel keys.
- (xiv) Two way Taper keys for Cast Iron and Steel Trough Sleepers.
- (xv) Tie bars.

26-A. Railway Wagons, Steel (Rolling Stock).

26-B. Railway Wagons Forgings.”

[No. 119/F. No. 34/228/59-Cus. IV.]

CORRIGENDA

CUSTOMS AND CENTRAL EXCISE

New Delhi, the 12th November 1960

G.S.R. 1324.—In the last two lines of Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. G.S.R. 1068 (89/F No. 34/88/60-Cus. IV.) dated 17th September, 1960 for words “and components of Tin containers” read “and Tinplate components of Containers”.

[No. 120/F. No. 34/88/60-Cus. IV.]

CUSTOMS

G.S.R. 1325.—In the last two lines of Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. G.S.R. 1071 (101/F No. 34/88/60-Cus. IV.) dated the 17th September, 1960, for words “and component of Tin Containers” read “and Tinplate components of Containers”.

[No. 121/F. No. 34/88/60-Cus. IV.]

M. C. DAS, Dy. Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 31st October 1960

G.S.R. 1326.—In exercise of the powers conferred by Section 13 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby makes the following further amendments in the Central Silk Board Rules, 1955, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 662, dated the 23rd March, 1955, namely:—

1. In the said Rules, in sub-rule (5) of rule 28, for the expression “sub-rule (2)” the expression “sub-rule (2)(a)” shall be substituted.
2. In Appendix Forms 1, 2, 3, 4, 8, 9, 10 and 11 for the words “Rs. A.P.” the words “Rs. nP” shall be substituted.

[No. F. 23/60/53-HS(2).]

G.S.R. 1327.—In exercise of the powers conferred by sub-rule (3) of rule 28 of the Central Silk Board Rules, 1955, the Central Government hereby makes the following further amendment in the Central Silk Board Study Leave Rules

published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 662, dated the 23rd March, 1955, namely:—

In the said Rules, in rule 13 for the expression "Rule 24(2)" the expression "rule 28(2)(a)" shall be substituted.

[No. F. 23/60/53-HS(2).]

J. C. ELING, Under Secy.

(Department of Company Law Administration)

New Delhi, the 4th November 1960

G.S.R. 1328.—In exercise of the powers conferred by the proviso to sub-section (1) of section 54 of the Companies Act, 1956 (1 of 1956), and in partial modification of the notification of the Government of India, in the Ministry of Finance (Department of Company Law Administration) S.R.O. 3216, dated the 4th October, 1957, the Central Government hereby directs that, in the case of the Lodge-Cottrell Limited (hereinafter referred to as the company), being a foreign company, the requirements of clause (a) of sub-section (1) of section 594 of the Act shall apply subject to the following exceptions and modifications, namely:—

It shall be deemed to be sufficient compliance with the provisions of section 594 of the Act if the balance sheet and profit and loss account prepared in terms of clause (i) of the Ministry of Finance (Department of Company Law Administration) notification S.R.O. 3216, dated the 4th October, 1957, in respect of the company's financial year ended on the 31st March, 1959, are audited by the auditors of the company in the country of its incorporation.

[No. F. 15/25/60-PR.]

M. K. BANERJEE, Under Secy.

MINISTRY OF STEEL, MINES & FUEL

(Department of Mines and Fuel)

New Delhi, the 1st November 1960

G.S.R. 1329.—In exercise of the powers conferred by section 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby makes the following amendments in the Minerals (Conservation and Development) Rules, 1958, namely:—

1. These rules may be called the Minerals Conservation and Development (Amendment) Rules, 1960.
2. In the Minerals (Conservation and Development) Rules, 1958, to rule 21, the following proviso shall be inserted, namely,—

"provided that persons whose qualifications, training and experience are regarded by the Central Government, as affording a reasonable guarantee of adequate knowledge and competence, may also be employed as whole-time or part-time geologists or mining engineers."

[No. MIN-185(3)/60.]

H. S. SAHNI, Under Secy.

(Department of Mines and Fuel)

New Delhi, the 5th November 1960

G.S.R. 1330.—In exercise of the powers conferred by section 17 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952), the Central Government hereby makes the following rules further to amend the Coal Mines (Conservation and Safety) Rules, 1954, the same having been previously published required by sub-section (1) of the said section, namely:—

1. These rules may be called the Coal Mines (Conservation and Safety) Amendment Rules, 1960.
2. In Chapter VIII of the Coal Mines (Conservation and Safety) Rules, 1954, (hereinafter referred to as the said rules), for the heading "Accounts and Audit", the heading "Accounts, Audit and Financial matters" shall be substituted.

3. After rule 61 of the said rules, the following rule shall be inserted, namely:—

“62. *Writing off of losses.*—The Board, the Chairman and the Secretary to the Board shall, subject to the provisions of the General Financial Rules, the Delegation of Financial Powers Rules, 1958 and other relevant rules for the time being in force in the offices under the Central Government, have power to write off irrecoverable losses of stores and money due to theft, fraud, negligence or other causes and losses due to deficiency or depreciation in the value of stores, upto the limits specified below, namely:—

The Board .. upto Rs. 5,000 in any one case.
The Chairman .. upto Rs. 1,000 in any one case.
The Secretary to the Board .. upto Rs. 50 in any one case.”

[No. C5-2(7)/60.]

CHHEDI LAL, Dy. Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 2nd November 1960

G.S.R. 1331.—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (15 of 1908) the Central Government hereby makes with effect from the date of publication the following amendments to the Night Navigation Fees, as published in the notification of the Government of Bengal in the Marine Department No. 18, Mne, dated the 27th February, 1928, and amended by the notification of the Government of India, in the Late Commerce Department No. 207-P and L(10)/31 dated the 12th March, 1932, namely:—

Amendments

For the existing items (i), (ii) and (iii) the following items shall be substituted, namely:—

	Rs. nP.
(i) Vessels of 8490 cubic metres gross and under	.. 18·00
(ii) Vessels of over 8490 cubic metres gross	.. 31·50
(iii) Vessels of over 14150 cubic metres gross	.. 54·00

[No. F. 9-PG(98)/60-3.]

D. A. R. WARRIOR, Under Secy.

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 2nd November 1960

G.S.R. 1332.—In exercise of the powers conferred by clause (b) section 6 of the Madras Outports Landing and Shipping Fees Act, 1885 (Madras Act 3 of 1885) the Central Government hereby makes the following further amendment with effect from the date of publication in the Rules to regulate the levy of landing and shipping fees at the Port of Vizagapatam published with the notification of the Government of India in the late Department of Commerce No. 222-P&L/33 (1-B) dated the 5th August 1933, namely:—

In the said Rules,

In sub-rule (b) of rule 14, the words “when handled by mechanical gear” shall be omitted.

[No. F. 17-PG(20)/60.]

MISS I. INDIRA, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE
(Department of Agriculture)

New Delhi, the 1st November 1960

G.S.R. 1333.—In exercise of the powers conferred by sub-section (1) of section 3 of the Destructive Insects and Pests Act, 1914 (2 of 1914), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Department of Education Health and Lands No. 320-35A, dated the 20th July, 1936, namely:—

In the said notification, for clause 1(2) of paragraph 6, the following clause shall be substituted, namely:—

“(2) the quantity of potato tubers imported at any one time shall not exceed the quantity to be specified in the permit prescribed in Schedule II to the said notification”.

[No. 7-70/60-PPS.]

New Delhi, the 2nd November 1960

G.S.R. 1334.—The following draft of certain amendments to the Table Potato Grading and Marking Rules, 1950, which the Central Government proposes to make, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published, as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 25th November, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Table Potato Grading and Marking (Amendment) Rules, 1960.
2. In Schedule III of the Table Potato Grading and Marking Rules, 1950; In the design Under Grade designation mark for potatoes, for the words “भारत की उत्पादन” the words “भारतीय उत्पादन” shall be substituted.

[No. F. 5-41/60-AM.]

New Delhi, the 2nd November 1960

G.S.R. 1335.—The following draft of certain amendments to the Sugarcane Gur (Jaggery) (Grading and Marking) Rules, 1943, which the Central Government proposes to make, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published, as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 25th November, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Sugarcane Gur (Jaggery) (Grading and Marking) Amendment Rules, 1960.
2. In Schedule II of the Sugarcane Gur (Jaggery) (Grading and Marking) Rules, 1943; Under Grade designation mark for Gur for the words “भारत की उत्पादन” the words “भारतीय उत्पादन” shall be substituted.

[No. F. 5-41/60-AM.]

V. S. NIGAM, Under Secy.

ORDERS

(Department of Food)

New Delhi, the 5th November 1960

G.S.R. 1336.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Delhi Rice (Export Control) Order, 1959, namely:—

1. This Order may be called the Delhi Rice (Export Control) Second Amendment Order, 1960.
2. In item (i) of the proviso to clause 3 of the Delhi Rice (Export Control) Order, 1959 for the figures and word "4.67 Kilograms", the figure and word "5 Kilograms" shall be substituted.

[No. 204 (DEL)(3)/464/60-PY.II.]

G.S.R. 1337.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Delhi Wheat and Wheat Products (Export Control) Order, 1959, namely:—

1. This Order may be called the Delhi Wheat and Wheat Products (Export Control) Third Amendment Order, 1960.
2. In item (i) of the first proviso to clause 3 of the Delhi Wheat and Wheat Products (Export Control) Order, 1959, for the figures and word "4.67 Kilograms", the figure and word "5 Kilograms" shall be substituted.

[No. 204(DEL)(1)/465/60-PY.II.]

G.S.R. 1338.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Rice (Southern Zone) Movement Control Order, 1957, namely:—

1. This Order may be called the Rice (Southern Zone) Movement Control Amendment Order, 1960.
2. In the Explanation to clause 3A of the Rice (Southern Zone) Movement Control Order, 1957, for the word 'Bonibay', the word 'Maharashtra' shall be substituted.

[No. 204 (SRZ)(14)/466/60-PY.II.]

G.S.R. 1339.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Rajasthan Foodgrains (Restrictions on Border Movement) Order, 1959, namely:—

1. This Order may be called the Rajasthan Foodgrains (Restrictions on Border Movement) Amendment Order, 1960.
2. In sub-clause (b) of clause 2 of the Rajasthan Foodgrains (Restrictions on Border Movement) Order, 1959, for the word 'Bombay', the word 'Gujarat' shall be substituted.

[No. 204 (RAJ)(4)/467/60-PY.II.]

G.S.R. 1340.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Madhya Pradesh Foodgrains (Restrictions on Border Movement) Order, 1959, namely:—

1. This Order may be called the Madhya Pradesh Foodgrains (Restrictions on Border Movement) Amendment Order, 1960.
2. In sub-clause (a) of clause 2 of the Madhya Pradesh Foodgrains (Restrictions on Border Movement) Order, 1959, for the words 'and Bombay', the words "Maharashtra and Gujarat" shall be substituted.

[No. 204 (MP)(4)/468/60-PY.II.]

S. N. BHALLA, Dy. Secy.

MINISTRY OF REHABILITATION
(Office of the Chief Settlement Commissioner)

New Delhi, the 31st October 1960

G.S.R. 1341/R. Amdt. XLVIII.—In exercise of the powers conferred by Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

In the said rules—

1. (i) After para 1 of Appendix XXII and before the words 'given under my hand and the seal' the following paragraph shall be inserted, namely:—

"The property the compensation of which has been adjusted against the value of this property was mortgaged with Shri _____ S/o _____ in West Pakistan *and or Shri _____, the purchaser had obtained a debt of Rs. _____ from Shri _____ S/o _____ in West Pakistan. The said mortgagee/creditor has obtained a decree for Rs. _____ from the Tribunal constituted under the Displaced Persons (Debt Adjustment) Act, 1951 the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned. The mortgagee/creditor would, therefore, have a lien over this property to the extent of mortgage charge/debt of Rs. _____ according to the provisions of the above Act until the mortgage charge/debt is satisfied or is redeemed by the mortgagor/debtor."

1. (ii) After para 1 of Appendix XXIII and before the word 'Given under my hand and the seal' the following paragraph shall be inserted, namely:—

"The property the compensation of which has been adjusted against the value of this property was mortgaged with Shri _____ S/o _____ in West Pakistan* and or Shri _____, the purchaser had obtained a debt of Rs. _____ from Shri _____ S/o _____ in West Pakistan. The said mortgagee/creditor has obtained a decree for Rs. _____ from the Tribunal constituted under the Displaced Persons (Debt Adjustment) Act, 1951, the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned. The mortgagee/creditor would, therefore, have a lien over this property to the extent of mortgage charge/debt of Rs. _____ according to the provisions of the above Act until the mortgage charge/debt is satisfied or is redeemed by the mortgagor/debtor."

(Amendment No. XLVIII, dated the 31st October, 1960).

[No. 7(6)Compensation/60.]

I. N. CHIB, Dy. Secy.

*Strike out whichever is not applicable.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 1st November 1960

G.S.R. 1342.—In pursuance of clause (b) of sub-rule (2) of rule 72 of the Mines Rules, 1955, the Central Government hereby makes the following amendments to the notification of the Government of India in the Ministry of Labour and

Employment No. G.S.R. 547, dated the 4th May, 1960, published in the Gazette of India dated the 14th May 1960, namely:—

In the Table to the said notification, the entry in column II, against item (7) under column I, shall be numbered as (i) and after the entry as so numbered, the following entry shall be added, namely,

“(ii) Post-Graduate diploma in Social Service, conferred at the Institute of Social Sciences, Loyola College, Madras”.

[No. MIII-5(8)/59.]

A. P. VEERA RAGHAVAN, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 7th November, 1960

G.S.R. 1343.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments in the Regional Offices and Field Publicity Mobile Units (Recruitment to Class III and Class IV Posts) Rules, 1959, published with the Notification of the Government of India, in the Ministry of Information and Broadcasting, No. 6(5)/59-EP, dated the 6th October, 1959, namely:—

1. These rules may be called the Regional Offices and Field Publicity Mobile Units (Recruitment to Class III and Class IV Posts) Amendment Rules, 1960.

2. In the Regional Offices and Field Publicity Mobile Units (Recruitment to Class III and Class IV Posts) Rules, 1959, in the Schedule annexed,—

(1) in column 9—

(a) against Serial No. 1, for the words and figures “Not less than 20 years and not more than 35 years”, the words and figures “Not less than 19 years and not more than 23 years” shall be substituted;

(b) against Serial No. 4, for the words and figures “Not less than 18 years and not more than 25 years”, the words and figures “Not less than 18 years and not more than 21 years” shall be substituted;

(2) in column 10, against Serial No. 1, for entry (1), the following entry shall be substituted, namely:—

“(1) Intermediate or Senior Cambridge or Higher Secondary Certificate or equivalent qualifications.”

[No. 6(5)/59-PP.]

J. J. KARAM, Under Secy.